

AT-138, EJ-125

FOR COURT USE ONLY

FILED

SEP 09 2005

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

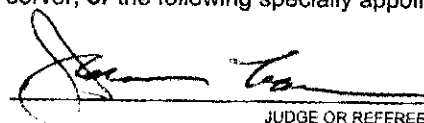
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Bruce K. Leigh, SBN 129753 Stanton, Kay & Watson, LLP 101 New Montgomery, 5th floor San Francisco, CA 94102 TELEPHONE NO.: 415/512-3501 FAX NO.: 415/512-3515 ATTORNEY FOR (Name): Laborers Trust Funds		FILED SEP 09 2005 RICHARD W. WIEKING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA
NAME OF COURT: United States District Court STREET ADDRESS: Northern District of California MAILING ADDRESS: 450 Golden Gate Avenue CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME: San Francisco		
PLAINTIFF: Larry Totten & Jose Moreno for Board of Trustees for the Laborers Health And Welfare Trust e DEFENDANT: Magnum Pacific, Inc., and Mark Serrano		
APPLICATION AND ORDER FOR APPEARANCE AND EXAMINATION <input checked="" type="checkbox"/> ENFORCEMENT OF JUDGMENT <input type="checkbox"/> ATTACHMENT (Third Person) <input checked="" type="checkbox"/> Judgment Debtor <input type="checkbox"/> Third Person		
		CASE NUMBER: 3:04cv1722 MMC

ORDER TO APPEAR FOR EXAMINATION

- TO (name): Magnum Pacific, Inc., and its President: Mark Serrano
- YOU ARE ORDERED TO APPEAR personally before this court, or before a referee appointed by the court, to
 - ☒ furnish information to aid in enforcement of a money judgment against you.
 - ☐ answer concerning property of the judgment debtor in your possession or control or concerning a debt you owe the judgment debtor.
 - ☐ answer concerning property of the defendant in your possession or control or concerning a debt you owe the defendant that is subject to attachment.

Date: **November 2, 2005** Time: **9:30 a.m.** Dept. or Div.: **Ctrm** Rm.: **F - 15th Flr**
 Address of court ☒ shown above ☐ is:

3. This order may be served by a sheriff, marshal, registered process server, or the following specially appointed person (name):

Date: 9-7-05

 JUDGE OR REFEREE

This order must be served not less than 10 days before the date set for the examination.

IMPORTANT NOTICES ON REVERSE**APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION**

- ☒ Judgment creditor ☐ Assignee of record ☐ Plaintiff who has a right to attach order applies for an order requiring (name): Magnum Pacific Inc - Mark Serrano to appear and furnish information to aid in enforcement of the money judgment or to answer concerning property or debt.
- The person to be examined is
 - ☒ the judgment debtor
 - ☐ a third person (1) who has possession or control of property belonging to the judgment debtor or the defendant or (2) who owes the judgment debtor or the defendant more than \$250. An affidavit supporting this application under Code of Civil Procedure section 491.110 or 708.120 is attached.
- The person to be examined resides or has a place of business in this county or within 150 miles of the place of examination.
- This court is **not** the court in which the money judgment is entered or (attachment only) the court that issued the writ of attachment. An affidavit supporting an application under Code of Civil Procedure section 491.150 or 708.160 is attached.
- The judgment debtor has been examined within the past 120 days. An affidavit showing good cause for another examination is attached.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: August 25, 2005

Bruce K. Leigh
 (TYPE OR PRINT NAME)

(Continued on reverse)


 (SIGNATURE OF DECLARANT)